

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:20-cv-02761-AT**

Knight First Amendment Institute at Columbia University v.
Centers for Disease Control and Prevention et al
Assigned to: Judge Analisa Torres
Cause: 05:552 Freedom of Information Act

Date Filed: 04/02/2020
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**Knight First Amendment Institute at
Columbia University**

represented by **Alexander Abraham Abdo**
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V.

Defendant

**Centers for Disease Control and
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Defendant

**U.S. Department of Health and Human
Services**

represented by **Andrew Edward Krause**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/02/2020	<u>1</u>	COMPLAINT against Centers for Disease Control and Prevention, U.S. Department of Health and Human Services. (Filing Fee \$ 400.00, Receipt Number ANYSDC-19315430) Document filed by Knight First Amendment Institute at Columbia University. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C).(Diakun, Anna) (Entered: 04/02/2020)
04/02/2020	<u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Knight First Amendment Institute at Columbia University..(Diakun, Anna) (Entered: 04/02/2020)
04/02/2020	<u>3</u>	CIVIL COVER SHEET filed..(Diakun, Anna) (Entered: 04/02/2020)
04/02/2020	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Centers for Disease Control and Prevention, re: <u>1</u> Complaint,. Document filed by Knight First Amendment Institute at Columbia University..(Diakun, Anna) (Entered: 04/02/2020)
04/02/2020	<u>5</u>	REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Department of Health and Human Services, re: <u>1</u> Complaint,. Document filed by Knight First Amendment Institute at Columbia University..(Diakun, Anna) (Entered: 04/02/2020)
04/02/2020	<u>6</u>	NOTICE OF APPEARANCE by Alexander Abraham Abdo on behalf of Knight First Amendment Institute at Columbia University..(Abdo, Alexander) (Entered: 04/02/2020)
04/03/2020		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Analisa Torres. Please download and review the Individual Practices of the assigned District Judge, located at https://nysd.uscourts.gov/judges/district-judges . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at https://nysd.uscourts.gov/rules/ecf-related-instructions ..(pc) (Entered: 04/03/2020)
04/03/2020		Magistrate Judge Kevin Nathaniel Fox is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf . (pc) (Entered: 04/03/2020)
04/03/2020		Case Designated ECF. (pc) (Entered: 04/03/2020)
04/03/2020	<u>7</u>	ELECTRONIC SUMMONS ISSUED as to U.S. Department of Health and Human Services..(pc) (Entered: 04/03/2020)
04/03/2020	<u>8</u>	ELECTRONIC SUMMONS ISSUED as to Centers for Disease Control and Prevention..(pc) (Entered: 04/03/2020)
04/06/2020	<u>9</u>	ORDER: It is ORDERED that the initial pretrial conference scheduled for June 4, 2020, at 1:20 p.m. shall proceed telephonically. The parties are each directed to call either (888) 398-2342 or (215) 861-0674, and enter access code 5598827. (As further set forth in this Order.) Initial Conference set for 6/4/2020 at 01:20 PM before Judge Analisa Torres. (Signed by Judge Analisa Torres on 4/6/2020) (cf) (Entered: 04/06/2020)
04/06/2020	<u>10</u>	ORDER: To conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ORDERED that the parties discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before the assigned Magistrate Judge. (As further set forth in this Order.) The parties are free to withhold consent without negative consequences. (Signed by Judge Analisa Torres on 4/6/2020) (cf) (Entered: 04/06/2020)
04/06/2020	<u>11</u>	ORDER: Initial Conference set for 6/4/2020 at 01:20 PM before Judge Analisa Torres. (As further set forth in this Order.) (Signed by Judge Analisa Torres on 4/6/2020) (cf) (Entered: 04/06/2020)

04/22/2020	<u>12</u>	SUMMONS RETURNED EXECUTED. Centers for Disease Control and Prevention served on 4/20/2020, answer due 5/11/2020. Service was made by Mail. Document filed by Knight First Amendment Institute at Columbia University..(Diakun, Anna) (Entered: 04/22/2020)
04/22/2020	<u>13</u>	SUMMONS RETURNED EXECUTED. U.S. Department of Health and Human Services served on 4/17/2020, answer due 5/8/2020. Service was made by Mail. Document filed by Knight First Amendment Institute at Columbia University..(Diakun, Anna) (Entered: 04/22/2020)
04/22/2020	<u>14</u>	SUMMONS RETURNED EXECUTED. All Defendants. Service was made by Mail. Document filed by Knight First Amendment Institute at Columbia University..(Diakun, Anna) (Entered: 04/22/2020)
04/22/2020	<u>15</u>	SUMMONS RETURNED EXECUTED. All Defendants. Service was made by Mail. Document filed by Knight First Amendment Institute at Columbia University..(Diakun, Anna) (Entered: 04/22/2020)
04/27/2020	<u>16</u>	NOTICE OF APPEARANCE by Andrew Edward Krause on behalf of Centers for Disease Control and Prevention, U.S. Department of Health and Human Services..(Krause, Andrew) (Entered: 04/27/2020)
05/08/2020	<u>17</u>	AMENDED COMPLAINT amending <u>1</u> Complaint, against Centers for Disease Control and Prevention, U.S. Department of Health and Human Services.Document filed by Knight First Amendment Institute at Columbia University. Related document: <u>1</u> Complaint,. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C).(Diakun, Anna) (Entered: 05/08/2020)
05/13/2020	<u>18</u>	MOTION for Stephanie Krent to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-19823123. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Knight First Amendment Institute at Columbia University. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Certificate of Good Standing, # <u>3</u> Text of Proposed Order).(Krent, Stephanie) (Entered: 05/13/2020)
05/13/2020		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>18</u> MOTION for Stephanie Krent to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-19823123. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (ad) (Entered: 05/13/2020)
05/15/2020	<u>19</u>	ORDER granting <u>18</u> Motion for Stephanie Krent to Appear Pro Hac Vice (HEREBY ORDERED by Judge Analisa Torres)(Text Only Order) (AH) (Entered: 05/15/2020)
05/22/2020	<u>20</u>	ANSWER to <u>17</u> Amended Complaint., Document filed by Centers for Disease Control and Prevention, U.S. Department of Health and Human Services..(Krause, Andrew) (Entered: 05/22/2020)
05/26/2020	<u>21</u>	ORDER: The initial pretrial conference scheduled for June 4, 2020, at 1:20 p.m. is RESCHEDULED to June 4, 2020, at 11:20 a.m. The conference shall proceed telephonically. The parties are each directed to call either (888) 398-2342 or (215) 861-0674, and enter access code 5598827. SO ORDERED., (Initial Conference set for 6/4/2020 at 11:20 AM before Judge Analisa Torres., Telephone Conference set for 6/4/2020 at 11:20 AM before Judge Analisa Torres.) (Signed by Judge Analisa Torres on 5/26/2020) (ama) (Entered: 05/26/2020)
05/26/2020	<u>22</u>	ORDER: The initial pretrial conference scheduled for June 4, 2020, at 11:20 a.m. is RESCHEDULED to June 4, 2020, at 1:20 p.m.–the time at which it was originally set to take place. Counsel should disregard the order at ECF No. 21. The conference shall proceed telephonically. The parties are each directed to call either (888) 398-2342 or (215) 861-0674, and enter access code 5598827. SO ORDERED. (Initial Conference set for 6/4/2020 at 01:20 PM before Judge Analisa Torres. Telephone Conference set for 6/4/2020 at 01:20 PM before Judge Analisa Torres). (Signed by Judge Analisa Torres on 5/26/2020) (rjm) (Entered: 05/27/2020)
05/28/2020	<u>23</u>	JOINT LETTER addressed to Judge Analisa Torres from Stephanie Krent and Andrew Krause dated 05/28/2020 re: Initial Pretrial Conference. Document filed by Knight First Amendment Institute at Columbia University. (Attachments: # <u>1</u> Exhibit A).(Krent, Stephanie) (Entered: 05/28/2020)

06/04/2020		Minute Entry for proceedings held before Judge Analisa Torres: Initial Pretrial Conference held on 6/4/2020. (AH) (Entered: 06/04/2020)
06/04/2020	<u>24</u>	ORDER: By June 9, 2020, Defendants shall complete processing of records responsive to Plaintiffs "prioritized records" request under the Freedom of Information Act for (i) the CDC's currently operative employee communications or speech policies and (ii) any policies or guidelines concerning the coordination of statements and/or public appearances with the Office of Vice President Mike Pence or the White House Coronavirus Task Force, other than any records in these categories for which consultation, referral, or coordination is required pursuant to 45 C.F.R. § 5.25(b), and will produce responsive, non-exempt records that it has processed. (As further set forth in this Order.) (Signed by Judge Analisa Torres on 6/4/2020) (cf) (Entered: 06/04/2020)
06/09/2020	<u>25</u>	LETTER addressed to Judge Analisa Torres from Andrew E. Krause dated June 9, 2020 re: deadline for processing certain records. Document filed by Centers for Disease Control and Prevention, U.S. Department of Health and Human Services..(Krause, Andrew) (Entered: 06/09/2020)
07/06/2020	<u>26</u>	LETTER addressed to Judge Analisa Torres from Andrew E. Krause dated July 6, 2020 re: deadline for processing certain records. Document filed by Centers for Disease Control and Prevention, U.S. Department of Health and Human Services..(Krause, Andrew) (Entered: 07/06/2020)